

## *Consumer Relief for Pain at the Pump Act*

### *Comprehensive Summary*

*May 3, 2011*

#### **Title I: Repeal of Presidential “Permatorium” on America’s Outer Continental Shelf Resources**

- **OCS “Permatorium” Repeal:** Repeals the Obama “Permatorium” on the OCS and requires the Secretary of Interior to restart Gulf permits that were approved before May 27, 2010.

The Obama Administration has effectively reinstated the ban on offshore drilling, placing the entire Pacific Coast, the entire Atlantic Coast, the Eastern Gulf and parts of Alaska [off limits](#) to future energy production until 2017 at the earliest. Even those extremely limited areas that will potentially open before 2017 are [closed for study](#) until at least 2012. Additionally, leasing in the Gulf of Mexico has essentially gone dead since the BP accident last year. While efforts have been made to improve safety standards, the Administration has been delaying decisions or even cancelling permits for additional exploration in the Gulf.

#### *Subtitle A: Outer Continental Shelf*

- Permanently opens up the Outer Continental Shelf for energy exploration and development and opens up waters off of the Eastern Gulf of Mexico, affecting Alabama and Florida. The bill allows states to prohibit energy exploration in their territorial waters for up to 10 miles from their coastline.
- Codifies the planned lease sales established under the original Minerals Management Service (MMS) 2007-2012 [5-year plan](#), which became effective on July 1, 2007, but has been litigated in court.
- Improves upon future leasing plans to ensure that lease sales will take place offshore, especially in new areas now open with the lifting of the OCS moratorium by requiring annual sales in the Atlantic, Pacific, Alaska, and Gulf of Mexico planning areas.
- Revenue sharing:
  - To encourage and incentivize offshore energy development, adjacent states, and their nearby producing states and political subdivisions will receive 50% of OCS receipts for federal offshore activity. The revenue sharing provisions incentivizes states to maximize exploration and makes sure that coastal communities receive an equitable share of royalty revenues.
  - Shared funds with states and political subdivisions could be spent for a number of purposes including education, transportation, reducing taxes, environmental restoration, and any other purposes determined by state law.

#### *Subtitle B: Arctic Coastal Plain*

- Opens the 1002 area of the Arctic Coastal Plain (ANWR) to oil and gas exploration on approximately 2,000 acres. Provides for a 50/50 share of Coastal Plain revenues between the federal government and the State of Alaska.

## **Title II: Repeal Energy Restricting Bureau of Land Management Land Lockup**

- **Wild Lands Repeal:** Repeals the DOI “wild lands” [executive order](#) (3310) that directs officials to evaluate federal land for wilderness-quality tracts during land-use planning and project reviews and consider wild lands designations that would bar activities incompatible with wilderness.

This regulation can easily allow the administration to impose restrictions on commercial uses for land use, including oil and gas development, as well as motorized recreation. Currently, only Congress can officially designate wilderness, so this yields responsibility to bureaucrats instead. The policy is so unpopular; it was one of the “riders” that passed under H.R. 1 - defunding the Secretary of Interior’s ability to carry out this policy through September of this year.

### ***Subtitle A: Expedited Shale Leasing of Federal Lands***

- The bill accelerates existing laws created under the 2005 Energy Policy Act to develop programs to coordinate and accelerate the commercial development of strategic unconventional fuels like [oil shale and tar sands resources](#) within the United States and partnerships with the Province of Alberta, Canada, relating to the development and production of oil from tar sands.
- This bill requires the BLM to lease oil shale bearing tracts for research and development testing purposes and converts the lease to a larger commercial lease, assuming it is a viable approach and holders provide proof of diligent development.

### ***Subtitle B: Expedited Judicial Review for Energy Projects.***

- Establishes an exclusive jurisdiction to handle all litigation over energy development located on federal lands and provides for a specific time line for administrative agency of jurisdiction.
- Objectors to a lease can only bring an appellate suit to the U.S. Supreme Court, which will be required to take up consideration of a case in a timely manor.

### ***Subtitle C: Permitting Reform***

- The bill reforms the current dysfunctional permitting process by creating interagency coordination and cooperation in the process of approving permits.
- Establishes a National Oil and Gas Permit Coordinator to ensure the timely completion of all permitting activities by federal agencies and state agencies, to the maximum extent practicable.
- Establishes regional offices to coordinate review of federal permits for oil and gas projects.
- Provides three separate leasing classes and schedules. In addition, the bill requires the permitting coordinator to establish timely permitting actions along with a dispute resolution process.
- Repeals the \$4,000 fee for new applications for permits to drill that was established in the FY 2010 Omnibus Appropriations Bill (Public Law 110-161; 121 Stat. 2098).
- Establishes a North Alaska Leasing Office to deal with expedited leasing in Alaska. Alaska can drill in the OCS and leasing has occurred, but it has [been tied](#) up in litigation and red tape.

### **Title III: Relief from Regulation and Prohibitions that Cause Artificial Price Increases**

#### ***Subtitle A: Relief from EPA Climate Regulations Federal Prohibition on Synthetic Fuel Fuels***

- ***Repeal EPA Regulations:*** Repeals EPA ruling by amending the Clean Air Act to clarify the definition of an air pollutant and ensures that nothing in the Clean Air Act, Clean Water Act, National Environmental Policy Act, Endangered Species Act, or Resource Conservation and Recovery Act, shall be treated as authorizing or requiring the regulation of climate change or global warming.

From the Clean Air Act, the Clean Water Act, to the National Environmental Policy Act, the Obama Administration will stop at NOTHING to utilize the Environmental Protection Agency (EPA) to impose carbon taxes on every sector of the economy. Congress has the obligation to decisively curtail the power and influence of the EPA and make use of every tool possible to counter the actions of the EPA.

- ***Repeal of federal Ban on Synthetic Fuels Purchasing Requirement:*** Repeals section 526 of the 2007 energy bill, which bars federal agencies from buying alternative or synthetic fuels if they have higher lifecycle greenhouse gas emissions than conventional petroleum fuels. These resources are abundant in North America and should be utilized rather than sending taxpayer dollars overseas to pay for foreign petroleum fuels. The federal government should embrace and not prohibit the use of advanced alternate fuels.

#### ***Subtitle B: Refinery Reform***

- The bill builds upon current law on the refinery permitting process by establishing a one-year permit issuing deadline for new refinery permit applications.
- Sets a 120-day deadline to issue a final consolidated permit for existing refinery applications.
- Provides the EPA with authority to accept consolidated applications to construct and operate refineries.
- Provides for Gas-to-Liquids study of the Fischer–Tropsch process, a key component of improving gas to liquids technology to study the feasibility of petroleum substitutes, from coal, natural gas, or biomass for use as synthetic lubrication oil and as synthetic fuels.

***RSC Staff Contact:*** Bruce F. Miller, [bruce.miller@mail.house.gov](mailto:bruce.miller@mail.house.gov), (202)-226-9717.